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| 10/718,132   | 11/20/2003  | Reidar Wasenius      | KOLS.072PA          | 9090             |
| 7590 08/19/2008<br>Hollingsworth & Funk, LLC<br>Suite 125<br>8009 34th Avenue South<br>Minneapolis, MN 55425 |             |                      |                     |                  |
| EXAMINER   |             |                      |                     |                  |
| SALCT, JASON P   |             |                      |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Continuation of Item 11 from Advisory**

Applicant argues that although Waki teaches sending a message identifying that a quiz answer is correct, the messages are sent in response to receipt of a quiz answer from a user and not when an event occurs in a television program. Therefore, Applicant concludes that Waki fails to teach that information is sent when an event, identified in stored parameters at a network element, occurs in a television program being broadcast

The examiner disagrees and notes that the claim limitations are broad and only state that a message is sent in response to an occurrence of an event. The recitation of an "event" is broad and has been interpreted by the examiner to be the question being asked/prompted to user during the television broadcast, therefore, when the question (**event**) has been answered by the user, a message is transmitted back to the server/headend.

Applicant also argues that Waki makes no mention of using stored user parameters to identify when to send a message to an operating device.

The examiner disagrees and notes that Waki clearly teaches sending a message to an operating device (**transmission of correct answer notification or a prize**) in response to (**in response to a correct answer**) the use of the stored user parameters (**client identification number and quiz information**) at Column 24, Lines 52-54, Column 31, Lines 17-22 and Column 33, Lines 21-28.

Applicant also argues that Waki fails to teach storing user specific parameters in a network element that includes information indicating an event in a television program that the user is interested in.

The examiner disagrees and notes that by asking the user questions while watching a television program that the user has selected, the mere fact that the user has selected the program to view and further answers questions during the selected television program is evidence that the user is interested in the television program. The examiner notes that by selecting a television program, a user has clearly shown that he/she is interested in the program and to further answer questions during the television program is further evidence that the user is interested in the program because the user has not changed the channel to view another program.

In regards to the remaining arguments presented by Applicant, see the rebuttals above.